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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|------------------------------|------------------|
| 10/540,140 | 06/21/2005 | Hirokazu Nunokawa | | 8876 |
| 23373 7590 03/02/2007 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037 | | | EXAMINER NGUYEN, LAMSON D | |
| | | | ART UNIT | PAPER NUMBER |
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| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/540,140

Applicant(s)

NUNOKAWA, HIROKAZU

Examiner

Lamson D. Nguyen

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2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 06/21/05.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Goto et al. (JP 2003-025563).

Goto et al teach an inkjet printing apparatus comprising:

Claim 1:

- a liquid ejecting section that ejects a plurality of types of liquid toward a medium (figure 1)
- wherein among the liquids that are ejected from said liquid ejecting section and that reach a region that is outside said medium, an ejection amount of one or more types of said liquid is reduced (figure 5, paragraph 51)

Claim 2:

- wherein among said liquids that are ejected from the ejection section and that reach said region that is outside the medium, an ejection amount of said one or more types of said liquid is reduced such that the amount becomes zero (paragraph 68 teaches controlling not to carry out reaction mixture outside the media, inherently means that zero amount of liquid is ejected)

Claim 3:

- wherein said one or more types of said liquid includes a liquid whose permeability is lower than another type of liquid that is ejected from said liquid ejecting section (paragraph 63 teaches cationic black ink and anionic color ink, therefore one type of ink is more permeable than the other)

Claim 4:

- wherein said one or more types of said liquid includes a liquid whose permeability is the lowest of all of the types of said liquids that are ejected from said ejecting section (paragraph 63 teaches cationic black ink and anionic color ink, therefore one type of ink is more permeable than the other)

Claim 5:

- wherein said one or more types of said liquid includes a liquid whose permeability of another type of liquid that is ejected from the ejecting section on contact therewith (paragraph 63)

Claim 6:

- wherein said one or more types of said liquid includes a liquid that lowers permeability of another type of liquid that is ejected from the liquid ejecting section on contact therewith (paragraph 63)

Claim 7:

- wherein said one or more types of said liquid includes a liquid that accelerates coagulation of another type of liquid that is ejected from the liquid ejecting section (paragraph 63, when an anionic ink mixes with a cationic ink, coagulation takes place, as is well-known in the art)

Claim 8:

- wherein there are a plurality of types of said one or more types of said liquid (figure 1 teaches black, cyan, magenta, and yellow inks)

Claim 9:

- a liquid recovery section that recovers liquid that has missed the medium (figure 6)

Claim 10:

- a liquid recovery section that recovers liquid that has missed the medium, wherein said liquid recovery section is provided with an absorbing material for absorbing said liquid that has been recovered (paragraph 50)

Claim 11:

- wherein said liquid is ink (figure 1, inkjet head utilizing inks of black, cyan, magenta, and ink)

Claim 12:

- a liquid ejecting section that ejects a plurality of inks toward a medium (figure 1 teaches head ejecting inks of black, cyan, magenta, and yellow)
- an ejection control section that controls ejection of said liquid from the liquid ejecting section (figure 9)
- wherein said ejecting section attempts to eject said liquid into a region that is determined to be outside the medium, said control section prevents one or more types of liquid from being ejected into said region that is determined to be outside the medium (figure 5, paragraph 51)

Claim 13:

- reducing an ejection amount of one or more types of said liquid that reach a region that is outside the medium (figure 5, paragraph 51)

Claim 14:

- a computer (figure 9)
- a liquid ejecting apparatus that is connectable to the computer the apparatus comprising: a liquid ejecting section that ejects a plurality of types of liquid toward a medium (figure 1, inkjet head using black, cyan, magenta, and yellow inks), wherein among the liquids that are ejected from the ejecting


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section that reach a region that is outside a medium, an ejection amount of one or more types of liquid is reduced (figure 5, paragraph 51).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lamson D. Nguyen whose telephone number is 571-272-2259. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Luucan be reached on 571-272-7663. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


LAMSON NGUYEN
PRIMARY EXAMINER
05/28/07